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April 1, 2020

VIA ELECTRONIC FILING

Jocelyn G. Boyd, Esquire
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: Request for Allowable Ex Parte Briefing to Discuss NRC Confirmatory Order
for Violations at Robinson Nuclear Power Plant
Docket No. ND 2020-10-E

Dear Ms. Boyd:

It is my understanding that the Commission intends to conduct the above referenced allowable ex parte in a “virtual” procedure of some type on April 15, 2020 at 10:00 am. I am concerned that as the Representative of the Executive Director of the Office of Regulatory Staff (“ORS”) I will be unable to certify any such proceeding. The language of S.C. Code Ann. §58-3-260(6), which governs allowable ex parte proceedings before the Commission, does not contemplate such proceedings being conducted via telephone or video conferencing. The statute gives specific guidance as to the conduct and actions of the ORS Executive Director’s representative, parties, persons, commissioners and commission employees who are “present” at such briefings.

I would therefore ask that the Commission consider postponing this allowable ex parte until such time as the presenter(s), commissioners, commission staff, and ORS Representative may all be “present” in the Commission’s hearing room. It does not appear to me that this is an essential matter requiring the immediate attention of the Commission. Alternatively, based on the subject matter, I would ask that the Commission consider requesting that Duke Energy Progress make a filing with the Commission to address the concerns made by Commissioner Ervin in Directive Order No. 2020-251.

Letter – Jocelyn G. Boyd, Esquire
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Thank you for your consideration of this matter.

Sincerely,

s/ Jeff Nelson

Jeffrey M. Nelson

cc: All Parties of Record (via e-mail)
David Butler, Esquire (via e-mail)